

Tiwanda Lovelace
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IN THE UNITED STATE DISTRICT
FOR THE DISTRICT OF UTAH

Tiwanda Lovelace

MOTION for WRIT OF MANDAMUS

Petitioner,

In re Petition to Unseal FOIA FBI File

Vs.

Number: 1334338-000

Dept. Of Justice/ FBI
950 W Pennsylvania Ave. N.W.
Washington DC 20530

Case: 2:22-cv-00817
Assigned To : Nielson, Howard C., Jr
Assign. Date : 12/29/2022
Description: Lovelace v Department of Justice

Respondent

1. I, Tiwanda Lovelace, representing myself without a lawyer, move to/for WRIT OF MANDAMUS In re Petition to Unseal FOIA FBI File Number: 1334338-000 under the following statutes(s)/rule(s):Petitioner Tiwanda Lovelace brings this action against the U.S. Department of Justice/FBI to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), Privacy Act, 5 U.S.C. § 552a (“Privacy Act”) and compel compliance with the 18 U.S. Code § 3771 - Crime victims' rights and compel compliance with the laws regarding (Conspiracy Against Rights) 18, U.S.C., Section 241 and (Deprivation of Rights Under Color of Law) 18, U.S.C.Venue is proper in this district pursuant to 28 U.S.C. § 1391(e). Section 242. Oral argument is requested.

PARTIES

2. Petitioner Tiwanda Lovelace is a law-abiding private citizen residing in Salt Lake City, UT., who is also the daughter of Robert Heard (MDOC 112084), a man who was convicted of killing a MI police officer, Stanley Rapaski and well-connected Bar owner, Cass Casserwinski. See **EXHIBIT 3:** Multiple Newspaper clippings.

3. Lovelace has no felony or misdemeanor convictions, both state and federal; yet, she has a FBI file that is over 300+ pages. See **Exhibit 18:** Criminal Background History for the State of Michigan and State of Nevada which confirms no history of criminal activity after receiving the First Offender Act in 1992 and ultimately brings into question the existence of a 357-page FBI file and its true purpose.

4. Petitioner is an online publisher who seeks to promote transparency, integrity, and accountability in government and fidelity to the rule of law. Petitioner requested records from federal agencies pursuant to FOIA. Petitioner analyzes the responses and disseminates its findings and the requested records for herself and the American public to inform them about “what their government is up to.” See **Exhibit: 1**

5. The Respondent U.S. Department of Justice and FBI is an agency of the United States government and is headquartered at 950 Pennsylvania Avenue, N.W., Washington, DC 20530. Respondent has possession, custody, and control of records to which Petitioner seeks access.

STATEMENT OF FACTS

6. Petitioner sought access to confirm and address concerns of unwarranted violation of privacy, unprovoked investigations, and/or any unexplained mail tampering, delays in telephone connections, electronic and computer disturbances. Petitioner is also trying to access reasons why the laws are never upheld when both, state and federal crimes are committed against the Petitioner and/or why complaints or allegations combined with supporting legal documents, are dismissed, and ignored as if no evidence is submitted. Petitioner sought access to any and all records concerning, regarding, or relating to herself. Such records include, but are not limited to, records of background checks of Petitioner, records of communications, contacts, or correspondence between Petitioner and employees, officials, or agents of the Federal Bureau of Investigation, and records of investigations concerning or regarding Petitioner as a victim. In addition, although evidence is included...in almost every response, most agencies, groups or entities contacted has alleged that “no evidence has been submitted.” In addition, most allege that they have investigated; yet there is never any direct communication or opportunity for the Petitioner to discuss documents in support of allegations.

7. On May 20, 2015, Petitioners submitted a request under both FOIA and the Privacy Act to the Federal Bureau of Investigation (“FBI”), a component of Respondent (DOJ). See **EXHIBIT 1. a)** Petitioner’s Request for FOIA FBI file. On August 22, 2016, Respondent's advised that under FOIPA, Title 5 U.S. Code. Section 552/552a there were (redactions) deletions made pursuant to 5 U.S.C. § 552(b)(6), 5 U.S.C. § (b)(7)(C), 5 U.S.C. § (b)(7)(D), 5 U.S.C. § (b)(7)(E) and 5 U.S.C. § 552a (j)(2). See **Exhibit 2:** Partially sealed FOIA FBI

file for Lovelace. Upon receiving this request, the Respondent's sought to have the requested file request (FBI: 1334338-000), Sealed by Court Order on the basis of exemptions:

- a. 5 U.S.C. § 552(b)(6) - Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.
- b. 5 U.S.C. § 552 (b)(7)(c) - could reasonably be expected to constitute an unwarranted invasion of personal privacy, and
- c. 5 U.S.C. § 552 (b)(7)(D) – could reasonably be expected to disclose the identity of confidential source, including a State, local or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source;
- d. and 5 U.S.C. § 552 (b)(7)(E) - would disclose techniques and procedures for law enforcement investigations or prosecutions or would disclose guidelines for law;
- e. and 5 U.S.C. § 552a (j)(2) – material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals.

8. These exemptions indicate either an active investigation or undercover officer and/or informant, which means that this FBI file could possibly span 35+ years. This would unfairly and negatively impact a US Citizen who is without any felony or misdemeanor convictions; neither, state or federal. See **Exhibit: 2, 18.** Petitioner has attached documents which clearly reflect federal crimes being committed against her continually for a consistent thirty years; yet there was no effort made to prevent, control, or reduce crime or apprehend criminals, as respondents allege. See **Exhibit 10:** Recent email from Dept of Civil rights against the FBI; yet they referred me back to the FBI. See **Exhibit 10:** A response letter from allegedly from the DOJ's OIG to notify of major criminal activity to include rape and murder... we are not going to investigate, initialed by AM. and **Exhibit 34:** List copies of the letters sent to the DOJ, Representatives, and governmental agencies... throughout the years. See Exhibits: 12, 21. These allegations span multiple states, indicating federal crimes which make these allegations – under federal jurisdiction. Petitioner has attached documents which clearly

demonstrate deprivation of rights to privacy when mail tampering, unexplained delays and correspondences intercepted spans thirty years, across multiple carriers. See **EXHIBIT 17:** Confirmation of mail delivery delays when seeking assistance. See letters from three different mail carriers that express unexplained delays when attempting to seek Justice.

EXHIBIT: 8 - Letter from DHL dated May 14, 1996, a letter from USPS.

9. Petitioner was subjected to abuse of power, intimidation, sexual assault, mail tampering, illegal modifications and entries to her criminal background and other federal crimes that went unaddressed, during the dates covered under the FBI file. See **Exhibits: 6, 8, 9, 12, 14, 16, 17.** With regards to exemption and 5 U.S.C. § 552 (b)(7)(D) – could reasonably be expected to disclose the identity of confidential source...Petitioner was never an informant. Petitioner contacted respondents and many governmental agencies for assistance with bullying from major entities but was denied at every turn. Petition is convinced that the respondents were able to achieve their intended goal or target because Petitioner was met with extreme bullying and referred to as a ‘Snitch’ or ‘Informant.’ Petitioner was exposed to violence, intimidation, threats and worse with the Respondent's knowledge. See **Exhibit: 10.**
10. Petitioner had a major music co-publishing contract, secured copyrights with names of musical works that were on the top of music charts; yet Lovelace was refused any and all legal representation across multiple states. See **Exhibit: 6, 21.** Petitioner asserts that she worked with music industry personnel with direct ties to police family members. Meanwhile Petitioner is being told that the royalties were given to police officers while being bullied and denied all communication. The Petitioner is not completely convinced if the initial cause for deliberate deprivation of rights is immediately connected to her brief stint within the music

industry or her father's conviction history or all of the above. Petitioner has never been directly addressed regarding copyright infringements, publishing and music royalties, blatant civil and human rights allegations, or anything and was expected to just accept deliberate deprivation and to buckle under the weight of Officials and a billion-dollar industry. As the daughter of a man convicted of killing a police officer, Stanley Rapaski and well-connected bar owner, Cass Casserwinski, combined with a background tied to the music industry where there was major conflict involving relatives of police officers and music publishing rights, the Petitioner was denied communication when violence ensued. See **Exhibit: 3, 16.** When those well-connected industry personnel started fighting over music publishing, something happened to someone well-connected and/or official. See **Exhibit: 7, 22, 23.** The Petitioner heard her musical lyrics and melodies on the radio and proceeded to seek legal representation without knowing that she would face a gauntlet of opposition and betrayal. These so-called producers were relatives of officials/officers that introduced me to the industry. This was my first major song placement. Shortly after this song placement, this placed Petitioner in the center of major conflict within that industry, holding me accountable for backlash from industry personnel. **Exhibit 23.** Lovelace did not have any connections and did not know enough people to be 'black-balled' after working with this small group of producers directly related to officers. There's no reason why a daughter of a man convicted of killing a police officer and prominent bar owner would have so many police in her life. Even Petitioner's ex-husband was related to a previous Chief of police in MI. There have been too many police involved throughout this ordeal from the start... from the maintenance of inaccurate entries continues impacting my ability to obtain housing in 2020. The Petitioner has proof of mail tampering and only feds can access mail across multiple states. See **Exhibit: 6, 8, 10, 21.**

That FBI file confirms that the FBI was there when the copyrights for musical works were filed in the Library of Congress. Police and Feds were there during allegations of copyright infringements and proven mail tampering. Not only was the Petitioner blackballed and refused all legal representation when the Petitioner had a major music publishing deal, my own copyrights and the songs matched titles of top ten hits in constant rotation. See **Exhibit 22, 23.** Basically, officials/officers introduced me to the industry, then created events to place me in the center of major conspiracies, holding me accountable for backlash from industry personnel. Violence struck my family which is public record; yet there was no communication from any law enforcement. There was no protection nor direct communication for decades while federal crimes continued, with impunity. See **Exhibits: 8, 12, 14, 16 & 20.** Officials posted me as the culprit and used me to ensnare criminals for their personal gain and revenge plots, because the public brutalized me, groups 'gunning' for Petitioner while officials controlled the narratives. Officials posted Petitioner as culprit and used me to ensnare criminals for their personal gain/greed and revenge plots. The only entities that can address crimes across multiple states is the Respondent; yet their response was to obtain a court ordered seal. Although the FBI was aware of danger to Petitioner and family, there was never any communication to advise of situation under victims' rights. Meanwhile violence and bullying, continued.

11. Unfair Trade practices and unfair competition went unaddressed after Petitioner notified proper agencies. See **EXHIBIT 14:** There was a flood of sellers on the first page of the exhibit even after opting out of third-party Sellers and over 2 years they reported no sales but were selling her products as used and new but reported no sales. **EXHIBIT 14, 24.** This

exhibit shows one seller who was her competition was selling the petitioner's own autobiography for \$33,418.88 while some sellers had it for \$0.78. This was during the time frame that the FBI file and that petitioner was seeking assistance from other governmental agencies to uphold her rights as a business owner, entrepreneur, and a US citizen. See Exhibits: 10, 21. This confirms unfair practices targeting Petitioner, publicly. Multiple sellers publicly conspired to induce harm and deprive rights, with impunity. How would these sellers even know the Petitioner without privacy violations due to no media following? Petitioner was never directly contacted by any officials regarding multiple state and federal crimes surrounding the music publishing conflict or the violence that ensued. Petitioner was left uninformed and unprotected, denied 'victim's rights'. My point is with every official contacted, all governmental agency contacted, the three separate US federal district court and now the ethics committee are ALL responding by saying that there's been no evidence submitted, when there's ALWAYS supporting documentation submitted. See **Exhibit 10, 15, 21.** Lovelace's publications shared her entire horrid experience and those connected to the music publishing conflict and police are the only ones that would have consistent interest in surveilling Petitioner and following her into the world of online publishing with unfair trade practices and unfair competition. Lovelace has never stopped requesting assistance and has consistently received the same response, while being denied ALL and ANY direct communication. Although hundreds of pages of documents in support of allegations are submitted, the standard systematic response and/or consistent obstruction is only logical explanation when every state and federal agency... EACH agency, allege that no evidence has been submitted to warrant further investigation. This FBI file indicates the timeframe for these events were covered in the FOIA FBI File that the respondents has had

Sealed by Court Order. See Exhibits 7, 14 & 16 - for intimidations and threats. The Respondents 'alleged' investigation results were made public because the petitioner was subjected to bullying by those associated with their intended target. In fact, it is likely that petitioner was used as bait, due to no direct communication. If Respondent claims, 'purposes for protection...', petitioner would have had direct communication with any law enforcement agencies that addressed unlawful, criminal acts that petitioner was subjected to. Petitioner has repeatedly contacted the DOJ, FBI AND AG Offices regarding privacy violation concerns, mail-tampering and intimidation dating back to onset 1990's and up to 2022. See Exhibits: 10, 15, 19 and 20. If Respondent is claiming exemption 5 U.S.C. § 552a (j)(2) – material reporting investigative efforts pertaining to the enforcement of criminal law; yet, Petitioner has had no arrest, nor any state or federal criminal cases to justify a 357-page FBI file. See Exhibit: 18. Meanwhile, multiple federal and state crimes have consistently been committed against the petitioner. Petitioner's first encounter with police was a single incident 1989-1992 (GA) 89CR2414; however, the courts saw fit to apply the FOA- First Offender Act. Prior to receiving the FOA, Petitioner fled from GA to MI. Upon Petitioner's surrender and her receiving the First Offender's Act Sentence (exonerating without adjudication), any and all possible surveillance by the FBI due to possible flight to avoid prosecution should have ceased with the government's Motion to Dismiss on July 20, 1992. See Exhibit: 25. First offender act discharge letter dated January 22, 2009, case number 89cr2414 Theft by Taking, Adjudicated Without Guilt. See Exhibit: 5.

12. On March 11, 2003, Petitioner filed civil action Civil case. 1:03-CV-0925-JTC / 1:03-CV-0925-WSD in the U.S. Federal District Court, against Def. Dekalb Central Probation and the

Dekalb County Police Dept. under 28 USC, 42 U.S.C. §1983, 28 U.S.C. § 2201 and 42 U.S.C. 1983 and 1988 28 U.S.C. § 2680 (a) and (h), alleging violations of the Due Process and Equal Protection Clauses of the 14th Amendment; asserting a general “deprivation of rights.” (Docket Item #2 Section I - page(s) 1, 2 and Section II - page 2). In Georgia, Plaintiff had to submit repeated requests to court for clerks to correct filings where the courts clerks edited Complaint to remove Dekalb County Police as defendants, etc... See **Exhibit 11, 20:** Motion and Notice for Correction. The Petition for Judicial review was dismissed referencing ‘no supporting documentation.’ The FBI were made aware, but Petitioner was never addressed with regards to any documents in support of allegations. Officials and police officers should not be able to hide behind badges when they are publicly violating rights, under color of law. See **EXHIBIT 8, 12, 20:** A copy of an online Internet search for criminal history on March 8, 2014, for Petitioner, revealed her name listed with an African American man's face with incorrect charges. See **Exhibit: 12.** This is a sample of defamation and meant to mock and portray me as aggressive or masculine for attempting to exercise rights. Combined with other events, confirm officials conspired with intent to harm. See **Exhibits: 9, 12, 26.** Petitioner repeatedly contacted officials regarding the maintenance of inaccurate and illegal entries were being maintained on the CJIS/GCIC criminal background records. As of the date of this petition, these inaccurate and misleading transmittals remain unaddressed. Petitioner alleged that Dekalb County Police, acting under color of state law, caused various constitutional harms, and engaged in “willful misconduct... conscious indifference” by permitted misleading entries to remain and by failing to train and supervise its employees in the entry and maintenance of criminal history information in CJIS and GCIC. See **Exhibits: 11, 26.** According to O.C.G.A. 17-10—(f), ‘Any order modifying a sentence which is entered

without notice and an opportunity for a hearing as provided shall be void.' After decades of deprivations, the conviction was corrected but records are still showing misleading and inaccurate entries, preventing international travel. See **Exhibit: 37** - where Petitioner was denied entry into Canada. Across two U.S. Federal District Court cases in MI and GA (Democratic States), Clerks in U.S. Federal District Courts have deliberately modified Plaintiff's filings and exhibits in order to protect officials/officers from prosecution and accountability by removing Police as Defendants.

13. **The 1st:** Lovelace v. Zomba Music Publishing MI CASE NO. – 96-72270 Tiwanda Lovelace, Pro Se Plaintiff, Vs. Zomba Music Publishing, INC. and BMI, Defendant - Hon. Judge Bernard Friedman. In this case, I am unaware of what was given to the Judge, but the judge referred to my corrected complaint and exhibits as papers. The Judge blatantly attributed my entire complaint to "...a product of my female surgery." The Judge dismissed complaint and never referenced my copyrights, my 50/50 co-publishing contract with a major music publisher and he ignored my request for assistance with violence and bullying that was happening all around me. **Exhibit 7:** Copyrights secured; yet courts dismissed all evidence. There was no Pacer access at the time to see what the clerks gave the Judge but most likely there was obstruction. I contacted the Judicial Tenure Commission regarding Case No. – 96-72270 Lovelace, Pro Se Plaintiff, Vs. Zomba Music Pub. and BMI, Def. - This was one of the correspondences that experienced mail-tampering and delays. I hand delivered the Petition for Judicial Review in DC. Although I submitted documentation in support of allegations, I received the same response, "no supporting documentation." **See Exhibit 37:** Petition for Judicial Review See **EXHIBIT 27**. This was definitely a time frame when the FBI file was covered. Prior to petitioner filing the lawsuit against the cab County Police she

sent letters to the department of corrections and the district attorney's office for DeKalb to notify them of inaccuracies being maintained. See **Exhibit 13.**

14. 2nd: Petitioner filed Lawsuit - Lovelace v. Dekalb Police Action Fie No. 1:03-CV-0925-JTC/ 1:03-CV-0925-WSD Tiwanda Lovelace, Pro Se Plaintiff vs. Dekalb County Police Dept, Defendant. In each instance, it is clear from my motions to correct and docket history which proves Clerks attempted to protect police as defendants. **Exhibits: 11, 28**

15. Petitioner has endured abuse of power under color of law by the deliberate neglect of officials (up to and including the Respondents) to uphold the law with regards to Petitioner. **EXHIBIT 10, 21.** Respondents allowed and facilitated a conspiracy by officers to intimidate and retaliate for lawsuit against police and for other apparent reasons. **Exhibits: 9, 12, 20.**

16. As recent as 2020, Lovelace was subject to a criminal background for housing application which returned an alert of felony charges, without referencing the date of 30+ years ago and that it should have been listed as adjudicated without guilt, under the First Offender Act. **Exhibits: 5, 29.** Alerting the apartment complex of felonious charges without specifying actual dates would generate a negative reaction and/or denial. Petitioner is consistently denied assistance with abuses of power under color of law; therefore, she feels corralled into homelessness with very little options when anyone can violate rights without fear of consequences or reprisal. Most companies do not offer opportunity to dispute criminal background checks. Petitioner was and continues to be harmed by willful neglect and continues to be deprived of her right to FOA First Offender Act. See **Exhibit 5:** It took 20

years to receive this letter exonerating acknowledging that Petitioner should have had the first offender act for the 20+ years. Officials deprived me of that right to claim my first offender act by illegally modifying my criminal background record and switching my first offender act to conviction, without notice of hearing or provocation. **Exhibit 5, 26.**

Conditions of Probation dated August 1992 and Interstate Case Report confirms that GA probation office was well aware that I was no longer to be under their supervision was accepted by Michigan and had no right to submit a request for warrant for absconding.

Exhibit: 2, 6. The charges were dismissed but arrest stayed on my record for misleading purposes. The two additional charges made a combined total of five arrest entries for one incident and a single agency case number 13647 (under GA case 89CR2414). See **Exhibit: 26.**

17. On December 7, 2005, after using the illegally obtained warrant to modify the FOA to conviction (see Exhibit:30), Dekalb County officials notified the US Dept. of Housing and Urban Development that there was an active warrant. Although I was living in Dekalb after this illegally obtained warrant and they could have arrested me; yet, they opted to only take my housing... forcing me and my children into homelessness, repeatedly over the course of thirty years. See **EXHIBIT 9:** This action combined with the modification of criminal background entry of a Felony Sentence for Shopping Cart Offense (like a homeless person) for Petitioner, demonstrate ‘a combined effort’ deliberate and willful intent to induce homelessness. Officials knew she was under supervision in MI. Petitioner has NEVER had any arrest for any Shopping Cart cases and this entry into the criminal record data base under FOA case number reflected this inaccurate and false charge, demonstrate true intent to harm.

See **Exhibit 9:** Internet State Case Report confirming petitioner was reporting as directed. A copy of warrant dated May 18, 1993, from the DeKalb County alleging petitioner had absconded, when they knew otherwise. Although the petitioner was reporting as directed, officers issued a warrant for petitioner arrest.

18. After securing employment with Nevada Unemployment, HR questioned me about the criminal background which contained inaccurate and misleading entries, then released me shortly after. See **EXHIBIT 17:** A copy of employment offers and positions that were taken away due to their criminal background history entries and those misleading transmittals. Housing loss or employment loss usually follows my attempt to expose deprivation of rights.
19. Petitioner met with Rep. Catherine Cortez-Masto's office representative, Manuel Davila and provided documents in support of abuse of power under color of law and advised her staff member of intimidation and forced homelessness. See **Exhibit: 15.** I was advised that they would forward the materials and that they would see about securing my housing again. I never heard from them again, forcing me into more homelessness and deprivations. Rep. Catherine Cortez Masto and those before her failed to uphold the laws that were intended to protect small business from monopolies. Rep. Catherine Cortez Masto and those before her did not expose blatant abuse of power and corruption. Rep. Catherine Cortez Masto and other representatives allowed officers/officials to utilize and/or facilitate billion-dollar industries to abuse power, brutalize and enslave a U.S. for decades. I've watched three generations of my family violated and subjected to bullies, under color of law, while representatives and the Respondent's turned a blind eye. See **Exhibit 21:** Thumb Drive Audio of the meeting at Las Vegas, NV Office for Catherine Cortez-Masto's assistant. Audio recording. Conveniently, they alleged that no evidence has been submitted and they allege that they have investigated,

etc....; yet there is never any direct communication. Petitioner has watched attorneys who were only hired for Auto Accidents, suddenly move from standard offices, into million-dollar offices after securing POA for what should only be auto-accidents. It is possible that these attorneys are inappropriately using Power of Attorney intended for auto accidents to pursue ‘back-door deals’ with unnamed entities. Not a single attorney has spoken to me regarding representing me in any of the matters within this petition. Petitioner has never received any of the music royalties, book publishing nor any compensation for deprivation of rights. That money went somewhere...It is inconceivable that the largest US intelligence agency is unaware of where any of those millions went. It is impossible to keep a US citizen deliberately deprived of all rights mentioned in this petition for three decades, without the help of someone associated with the FBI and/or in power of authority connected with a billion-dollar industry intent on operating with impunity. Petitioner believes that under color of law, a conspiracy was initiated for revenge, for egos and to steal from an unprotected US Citizen. Petitioner has recently (2022) filed an official complaint with the Ethics committee. **EXHIBIT: 15 a)** A copy of the receipt for the Official Complaint dated February 19, 2022, sent to the Office of Congressional Ethics U.S. House of Representatives regarding Rep. Catherine Cortez-Masto's willful neglect and deliberate inaction in upholding her oath. This email clearly stated facts and confirmed provided documentation in support of allegations of deprivation and worse. See **Exhibit 15b)** Ethics response says, ‘...no evidence.’

20. Another instance of Official deprivation, Petitioner has been advised by Nevada Dept. of Training and Rehabilitation and Nevada Legal Services that she was not going to receive her initial hearing (for her unemployment insurance claim filed April 6, 2022) for up to 6 months

to (1) one year. Lovelace has previously been employed by DETR and is able to confirm that even two years into a pandemic...this is unheard of and is a form of retaliation for continuing to exercise her rights. Once again, officials are abusing power. After more than six months, Lovelace finally received a 'farce of an initial hearing,' afterward she was denied stating no good cause, but Lovelace submitted multiple documents to confirm 'good cause,' per DETR's guideline. Now the Petitioner's timely appeal was sent certified mail... but is being ignored and not uploaded for review, per policy in an effort to deny and prevent benefits for (8) months and counting. See **Exhibit: 16, 31.** Nevada Unemployment Appeal and confirmation that current status not showing received and uploaded. Another example: Never in the history of public assistance has a food benefit application been responded to within 2 hours after online submission. The state of Nevada DWSS office called me within less than two hours of submitting my online application in order to request the letter from my previous employer that falsely stated that I 'voluntarily quit' (when I had not). The purpose of requesting a copy of the separation letter was for DWSS to deny my application. Only privacy violations would allow a state governmental agency representative access to 'pull' my application within literally two hours of submission. See Exhibits: 16, 32. I calmly responded via email stating that I did not have the letter and the DWSS worker called me back-to-back approximate seven times. With the Respondent's resources, proving these instances and confirming harassment would be easy. In addition, recently, Nevada contacted me regarding my name being pulled for Nevada Rural Housing for Section 8. Although I currently reside in UT, I cannot afford the rent, so I submitted all of my bank, employment information, etc. I advised that although I hadn't worked for over (8) eight months and that my 2022 taxes would confirm income under \$20,000. See Exhibits: 16, 33 Petitioner was

immediately denied. I am unsure how the privacy violations have been initiated; however, Petitioner asserts that this was also a form of unnecessary privacy violations to request my current banking, location and employment information, then deny. Housing and employment have been a tool to ‘break spirits’ and is often used when the petitioner attempts to exercise her rights. Note: petitioner had to leave Nevada to find employment and housing after more than 6 months of no income and no opportunities for employment.

21. Petitioner has traveled the United States, seeking to exercise rights to Life, Liberty and Justice, only to be corralled into homelessness as punishment for fighting for her rights and standing up to abuse of power and a billion-dollar. Petitioner has never had any history of drug addictions or criminal cases after her FOA (1988-1993) but she was forced to seek shelter accommodations in multiple cities across the U.S. Petitioner had employment rescinded due to the maintenance and illegally modified criminal background. See **Exhibits: 17, 18.** For example, Petitioner has never been arrested for a shopping cart case, but it is on my arrest record. Petitioner has attached copies of instances where ‘blatant egregious abuses of power, under color of law’ is easily identified. See **EXHIBIT 17:** List of (2) two examples of employment loss specifically due to deliberate maintenance of inaccurate and misleading entries. Petitioner walked into the Las Vegas FBI Field office with her documentation in support of allegations of abuse of power, privacy violation and intimidation. In addition, the Petitioner received a letter that was allegedly from the DOJ OIG but doubts its authenticity. (**See exhibit 34).**
22. This Petitioner suggest the requested FBI file will confirm that this intelligence agency or those directly connected to this intelligence agency have been aware of continued deprivation

and this file was sealed to protect their possible direct involvement in atrocities or lack of intervention or expose their investigative tactics of endangering innocent citizens. If the Respondents had truly investigated, they would confirm that their agents are deeply embedded in a billion-dollar industry for personal gain and/or intimidation. Whenever the Petitioner would attempt to move to another state, she was subject to intimidation which sent her back to Las Vegas, NV. Petitioner has been corralled, bullied through use of privacy violations for three decades, publicly. It is inconceivable that the largest US intelligence agency is unaware of multiple events stemming from decades old music publishing conflict which harmed many across multiple groups; especially, after the Petitioner has repeatedly contacted EVERYONE for decades due to continued deprivations, abuse, and harassment from the major music publishing conflict. See **Exhibit 22:** Warrant for Double Homicide and other violence relayed in Lawsuit filed in Michigan. Instead of upholding the rights of the petitioner, the Respondents opted to seal their actions by court order. These privacy violations can explain why at each submission, these agencies are stating that they don't have any evidence and support of my allegations. See **Exhibits: 10, 21, 23.** Across three industries Petitioner has been deprived of All rights and compensation. Petitioner was left completely destitute and prevented from being able to consistently provide for herself through official's modifications of my criminal background. There is a trail of federal and state crimes that have been ignored. This criminal activity which has targeted me, and family has gone unaddressed and although I submit documents in support of the allegations, the response is always that they have received 'no evidence.' Someone in an official capacity and under color of law is removing these documents in support of allegations, just like those court clerk's removed defendants and modified filings. The Respondents' response has continued to

indicate “that they have no interest...” Their refusal to acknowledge Petitioner as a US citizen and their withholding direct communication to even review the provided supporting documentation for accuracy, raises questions as to their ability to uphold the law on behalf of the daughter of a man who is serving a life sentence for allegedly killing a police officer (Rapaski) and another man with the same name (Casserwinski) as a Democratic representative and politician. Releasing the FBI file will determine intent to deliberately harm and/or neglect of duty.

23. On July 22, 2022, the FBI agents outside 950 Pennsylvania Washington, DC stopped me from entering the building to file a complaint against the FBI with the OIG Office of Inspector General FBI. Agents refused to accept my Thumb Drive with proof of Conspiracy Against Rights. From 2012, I've been to Washington DC 4-5 times prior to COVID to stop deprivations. See **Exhibit: 35**. I was mocked and refused entry into the building, each time. I was told that I could go to the website and make an appointment but any website that I visit on my devices does not give me that option, ever. It's inconceivable that the Office of Inspector General would send a letter like the one that Lovelace received, and the Respondent's does not have any interest in finding out who's pretending to be the OIG. See **Exhibit: 34**. The Petitioner is stating that criminals, thugs and/or gangsters are not going to pretend to be the OIG. Only someone in an official capacity would seek to pretend to be the OIG to discourage the pursuit of Justice and prevent a person from exercising their right to expose abuse of power and corruption being targeted towards them. Lovelace questioned the authenticity of these correspondences. This and consistent unexplained mail delays lead to petitioner traveling at every opportunity to physically contact multiple U.S. Representatives

to ensure if her suspicions were supported. Every Representative contacted did not provide any assistance with blatant deprivations. It was as if there was an agent or others violating my privacy, undermining my attempts to seek justice. There was never any reason as to why she would face such backlash. Someone was hurt in that industry because my child was chased into the street in front of our house and hit by a car by Sharon Des Fernandez.

Petitioner only knew one person who was of Spanish descent - Jake Salazar. Jake's partner was Lee Marcus (whose brothers were police officers in Detroit). Sharon got out of her vehicle without remorse, after hitting my child as if she was deliberately attempting to harm, for revenge. Then the police ruled in her favor after hitting my child in front of our rented home on Burt Rd in Detroit MI. After my works were all over the radio and I couldn't get a lawyer (even with a 50/50 publishing agreement with a major music publisher and secured copyrights). The publishing company alleged that they never received songs and they probably didn't because the timing of the FBI file indicates that the police and feds were there the whole time. Lee M was talking about DreamWorks and that his brothers were police officers. Jake S was the only Hispanic that I knew through Lee but outside of basic courtesy, he never spoke to me. Lee did all the talking. The song had lyrics, "Keep standing tall, there's no way..."). I didn't know that song was used because the petitioner didn't watch the show. That's when the other music industry people came sniffing around. If at any point, the Respondents were following the laws, I would have received direct communication sometime in three decades. Instead...decades later, I had to finally build up the courage to go into the Las Vegas FBI Field office, with proof of questionable behavior of police officers and mail tampering spanning multiple states for them to ignore. The Caucasian FBI agent refused the printed publication with supporting documentation. When I went back in 2022,

the Petitioner was denied entry and the FBI at the door refused any documentation referencing 'chain of command.'

24. Music Publisher, Zomba specifically indicated that the 50/50 co-publishing agreement for ALL works (before and after signing). See Exhibit: 36. Pitting police-backed Lee and Jake w/ his friends and Zomba (Blackstone/Renzer). Petitioner should not have to be forced to investigate, there should have been communication. Lee being close family with police, he didn't offer a contract because he knew what was planned or why else would he not offer a contract after placing the lyrics and melody created by Petitioner. Someone was already collecting music royalties after slapping someone else's name on the song. Lee told me about the girl who committed suicide after allegedly writing songs for Holland Dozier Holland, without receiving credit for her works. The song was placed; yet there was no contract offered but word "got out" for possible 'free' music lyrics because industry personnel came. Petitioner believes there was ill-intent, or she would have been offered a contract well before Zomba. Larry H was with Paramount. Roc was who brought Michael P using my songs to my attention which caused his million-dollar deal to vanish (causing conflict amongst major music publishers). Ara (Arabic) was allegedly financial support for Roc. Every possible group somehow pulled into this nightmare. I stopped working with all of them because I had no contractual obligation to either individuals or groups and communication was denied. Petitioner is certain that someone was killed or harmed, either an officer or industry personnel but no one communicated with Petitioner. Petitioner was never talked to or notified or warned, just abused and deprived. Being that close to that kind of violence, the Respondent's had an obligation to discuss and talk to the Petitioner and they did not. All of

the music publishing, book royalties and my compensation were STOLEN. See listed **Exhibit 7, 23, 36.** A copy of contracts that were filed during the time frame covered under the FBI file and the time frame when petitioner alleged major copyright infringements. **Exhibit 6, 7, 14, 22, 36.** During these copyright infringements, Petitioner's 50/50 Co-Publishing Company, Zomba sent her a letter addressing her allegations of copyright infringements. The letter was stamped with the mail stamped or postmarked with the words, "COMICS" on a serious matter involving millions of dollars in music royalties. See **Exhibit 36.** Zomba denied receiving any of my lyrics and melodies; yet, I had spoken to their representative about the submitted material. The post office is under Federal jurisdiction, they were there at that time per the FBI file. I was suffering from these violations and being forced into homelessness, without any shield or protection. It was almost as if suicide was being induced and/or entrapment. The Petitioner was subject to strangers telling the Petitioner to kill herself. More than one family member assaulted, musical lyrics were all over the radio and other violence happening consistently during the timeframe of this FBI File: yet no official communication. Respondents referred to exemption 5 U.S.C. § 552a (j)(2), however, supporting documents show blatant unfair competition, unfair practice and intimidation went unaddressed. Through the combined efforts of third-party sellers on multiple platforms, petitioner was forced to compete with her own seller profile ranking last. See **Exhibit: 14, 24.** Petitioner alleges these instances were retaliation and intimidation tactics used to induce hopelessness and 'harm.' Respondents were made aware of continued violations of law; yet petitioner consistently received correspondences which denied any assistance. These exhibits confirm public knowledge of an allowed conspiracy to harm because clearly shows multiple sellers entertaining prices meant to induce duress.

Petitioner has no public social media following and has no celebrity status; yet public records show constant mockery of business ventures that are related to exposing abuses of power and corruption. Petitioner was publicly bullied by well-connected group(s) associated with officials and a billion-dollar industry. This caused irreparable harm and there continues to be "no other adequate remedy [is] available" because no one has the resources to address improprieties of the largest intelligence agency, EVEN WITH PROOF. See **Exhibit 13**: Petitioner has attached several documents from her online business which clearly shows some questionable actions that could clearly be condemned as harassment, intimidation, unfair competition, and unfair trade practices. While trying to establish her publishing business, Petitioner received a delivery or receipt confirmation as if someone had placed an order on her eBook website but the actual items: '*a sledgehammer and a wire cutter*' were listed as a bookstore purchase. See **Exhibit 14**.

25. Petitioner alleges this was intimidation and a threat. Petitioner has continued receiving threats and bullying that is meant to stop my attempts to seek assistance. Petitioner is absolutely convinced that the requested FBI file contains proof of their knowledge and willful indifference and deliberate neglect to uphold the law. Petitioner is not from the 'streets' and has no other options but to continue to seek resolution through the courts. Petitioner believes that her privacy has been violated to deter others from assisting with abuses of power, under color of law. The courts would have to agree that in order for anything to be blocked, there would have to be prior knowledge in order to intercept. Prior knowledge and/or privacy violations would explain mail tampering, email service delivery issues when seeking assistance and the consistent issue of evidence disappearing. Likewise,

by violating petitioners' privacy these same officials behind abuses would be alerted when Petitioner would contact others in position to assist. This would explain why Petitioner has never been able to obtain resolution and why 'no evidence' is the standard response. Petitioner can present evidence that her privacy is being violated for unlawful purposes. Petitioner alleges that Respondents would be in a position to counter any attempts to expose official abuses of power. Petitioner is the daughter of a man convicted of killing a police officer and yet, no officials find it odd that a US citizen would have a 357- page FBI file and consistent complaints filed with multiple governmental agencies that have gone unaddressed for decades. Why is it that no officials acknowledge that the well-connected bar owner that my father is serving time for allegedly murdering, Casserwinski has the same name of a prominent Democratic Politician? See **Exhibit 3.**

26. While living in multiple Democratic states for 30 years, not one of the many US Democratic Reps. that I contacted would uphold their sworn oath to expose corruption and stop blatant, public deprivations. **EXHIBIT 21:** A list of people in positions of power that refused to even acknowledge these blatant atrocities and examples of abuse of power. Petitioner has never a history drug abuse history has no federal, felony or misdemeanor convictions that would merit a 357- page file; therefore, respondents should be ordered to release an unredacted FOIA FBI file. See **exhibit: 18.**

27. Petitioner is an average citizen who was able to compile using public records the list of documents, herein. If petitioner was able to compile this information without resources or assistance surely the FBI is fully aware and have opted not to uphold the laws and communicate directly with petitioner while federal crimes were being committed.

Respondents claim exemption 5 U.S.C. § 552a (j)(2) – material reporting investigative efforts pertaining to the enforcement of criminal law, etc....; yet they refuse to review and address documents in support of allegations. Petitioner has clearly shown that respondents have shown a deliberate, willful indifference and willful neglect to uphold the laws for three decades.

28. Petitioner has been humiliated degraded and deprived of all her human and civil rights in these matters.' Petitioner begs the court to consider this information and assist an upholding the laws by providing her access to the information which they choose not to disclose. The public has a right to know that those in positions of power are not using that power for selfish or personal gains. See **EXHIBIT 34:** Letter from the Office of Inspector General dated June 9, 2015. The DOJ's response was, "The matters that you raise are outside of our investigative jurisdiction, therefore no action will be taken by this office." The letter was sent USPS First Class Mail alleging from Office of Inspector General; yet, it has no signature or title when other DOJ correspondences are legitimately signed and officiated. See **Exhibit 10:** Letter received from the DOJ dated June 1, 2015, demonstrating the difference in signature and titles between other correspondences received from the US Department of Justice over the last 30 years. **Exhibit 10:** Letter and envelope received from the DOJ dated September 16, 2015, raises questions as to their ability to uphold the law on behalf of the daughter of a man who is serving a life sentence for allegedly killing a police officer. Releasing the FBI file will determine intent to deliberate harm or neglect of duty. Their investigative practices would appear to involve using citizens for their own purposes, without communication for decades. Petitioner has provided substantial documentation to establish

that petitioner has been targeted. This caused irreparable harm and there continues to be "no other adequate remedy [is] available." See **Exhibit: 7, 10, 21** The Petitioner was receiving threats and bullying, without help.

29. When petitioner seeks assistance, she is met with more bullying and she is met with external pressure to fight for rights or referred to as a pet or slave, and complacently accepting deprivations. See **Exhibit 16, 31, 32, 33**. It is public knowledge that the public is trained to frown on 'informants' or 'Snitches.' Fighting for rights does not make an individual an informant! This caused irreparable harm and there continues to be "no other adequate remedy [is] available." The Respondents should have to justify inaction and why the need to Seal the FBI File on a US Citizen who has alleged deprivation of rights under color of law, for a lifetime. As an African American female US citizen who can legally say that she has no misdemeanors or felony convictions (state or federal), Petitioner shouldn't have a 357-page FBI file. See **Exhibit: 18**.

30. **Petitioner alleges the at the very least, the Respondents subordinates facilitated the Violation of FOIA, 5 U.S.C. § 552).** Petitioners are being irreparably harmed by reason of Respondent's unlawful withholding of requested records by redacting. Petitioner understands all officials are not un-trustworthy; however, in 30+ years of contacting representatives and our governmental agencies, there's been no adequate remedy. Petitioner prays that this court will allow for the review of the file in question because petitioner has provided sufficient documentation to demonstrate that respondent is not being forthright in its decision to withhold the file, through redaction.

31. Petitioner alleges the at the very least, the Respondents subordinates facilitated and/or is aware the Violation of Privacy Act, 5 U.S.C. § 552a: Respondent is unreasonably refusing to comply with Petitioner's request under the Privacy Act. Petitioner is being irreparably harmed by reason of Respondent's unlawful withholding of requested records, and Petitioner will continue to be irreparably harmed. There's no way that any surveillance should have continued for US Citizen without any state or federal felony or misdemeanor convictions. See **Exhibit: 25**. Petitioner has had no gang affiliation. More importantly, absolutely no reason for the FBI to have this 357-page FOIA FBI File Sealed three decades after the federal case initiated by the FOA case, was closed. Respondent placed Petitioner in extreme danger without her knowledge or consent and now has petitioned the court to Seal their illegal actions. Petitioner submitted a complaint of civil rights to the Dept of Civil rights against the FBI; yet they referred me back to the FBI. See **Exhibit: 10**. Petitioner reported unfair practices and unfair competition to proper governmental agencies and claims, went unaddressed. Lovelace never received her publishing from music nor online publishers while attempting to share her experiences with billion-dollar industry that the relatives of officer's who introduced her to the music industry. Zomba Music Publisher indicated not receiving musical works that were sent certified mail. This is the same response from almost every agency that has been contacted...Although evidence is submitted, EACH alleges no evidence. The only explanation and it is more likely that there are federal agents involved because common criminals, thugs and gangsters are not going into the post office, across multiple states to retrieve mail. See **Exhibits: 14** - Blatant Mail tampering. The Petitioner is aware that the entire FBI could not possibly be involved; however, a billion-dollar industry

has a lot of power to influence. How else can a songwriter/Lyricist have copyrights with the exact song titles as the songs that are on the music charts; yet legal representation is denied?

32. Petitioner alleges the at the very least, the Respondents subordinates facilitated the Violation of Conspiracy Against Rights 18, U.S.C., Section 241). Respondent place Petitioner in extreme danger without her knowledge or consent and now has petitioned the court to seal their illegal actions. This statute makes it unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because of his/her having exercised the same). The statute further makes it unlawful for two or more persons to go in disguise... with the intent to prevent or hinder his/her free exercise or enjoyment of any rights so secured. Petitioner has provided copies of printouts which clearly demonstrate the officials have deliberately sought to harm by illegally maintaining false arrest entries and modifying my criminal background. These events were used to belittle, demean and to induce duress and harass petitioner. See Exhibit: 30

33. Petitioner alleges the at the very least, the Respondents and/or subordinates facilitated the Violation of Deprivation of Rights Under Color of Law 18, U.S.C., Section 242) by depriving Petitioner the ability to benefit from First Offender Act that the Court had Ruled, Petitioner was adjudicated without guilt Petitioner suffered continued loss of jobs and housing opportunities for decades, under the watchful eye of the Respondents.

34. Petitioner alleges the at the very least, the Respondents and/or subordinates facilitated the Violation of Rights of Crime Victims 18, U.S.C., Section 3771 a, b, and c) Petitioner asserts that the requested FBI file will confirm she was denied protections and more:

35. **RIGHTS OF CRIME VICTIMS:** (1) The right to be reasonably protected from the accused. (2) The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused. (3) The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding. (4) The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding.

36. Petitioner is being irreparably harmed by reason of Respondent's unlawful withholding of requested records, and Petitioner will continue to be irreparably harmed unless Respondent is compelled to conform its conduct to the requirements of the law. Petitioner has satisfied their burden to show the right to additional disclosure is clear and indisputable.

37. Petitioner has shown:

(1) that petitioner has a "clear right to the relief sought," (2) that the respondent has "a plainly defined and peremptory duty . . . to do the action in question," and (3) that "no other adequate remedy [is] available."

38. The Respondent has had decades to address even the possibility of rogue agents and/or well-connected individuals and/or groups misrepresenting the agency; yet, instead chose to suppress and have Sealed by Court Order. The Petitioner has been forced to endure deprivations for over thirty years, without the protection of the Constitution. Without resources, the Petitioner suggest that an officer and/or agent was possibly harmed in relation to the music publishing conflict because the blatant deprivations are unfathomable.

- a. "The ideal concept of public office, expressed by the words, 'a public office is a public trust,' signifies that the officer has been entrusted with public power by the people; that the officer holds this power in trust to be used only for their benefit and never for the benefit of himself or of a few; and that the officer must never conduct his own affairs so as to infringe on the public interest."

WHEREFORE, Petitioners respectfully request that the Court:

(1) unseal FOIPA Request: 1334338-000 and order Respondent to conduct a search for any and all records responsive to Petitioners' request and demonstrate that it employed search methods reasonably; (2) order Respondent to produce unredacted and unsealed, by a date certain, any and all non-exempt records responsive to Petitioners' request and a Vaughn index of any responsive records withheld under claim of exemption; (3) Petitioners now seek a writ of mandamus to request a writ of prohibition directing the FBI from interfering and preventing the Petitioner from filing an Official complaint with the OIG; (4) order the Respondents to provide Petitioner the required and necessary information under the Federal Statute 18 U.S.C. § 3771 Crime Victims' rights; (5) Petitioner now seek a writ of mandamus to request an injunction to force FBI to cease and desist any illegal surveillance to protect Petitioner from any continued invasion of privacy, electronic and/or any other methods used to place Petitioner in harm's way, without establishing direct communication to Petitioner; (6) enjoin Respondent from continuing to withhold any and all non-exempt records responsive to Petitioners' request; (7) grant Petitioners an award of attorneys' fees and other litigation costs reasonably incurred in this action pursuant to 5 U.S.C. § 552(a)(4)(E) and 5 U.S.C. § 552a(g)(3)(B); and (8) grant Petitioner a hearing to ensure the Courts has received complete filings; (9) to assign counsel to assist in restoration of Petitioner's rights; and (10) grant Petitioners such other relief as the Court deems just and proper.

DATED: 12 / 29 / 2022,



Signature

Tiwanda Lovelace

Printed Name